

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

United States of America

Civil No. 08-CV-1195

Plaintiff

vs.

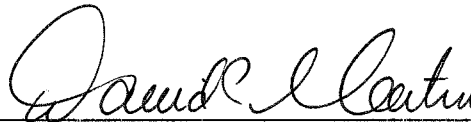
Cazenovia Village Apartment Company a/k/a
Cazenovia Village Apartments Company,

Defendants.

STIPULATION CANCELING ACTION

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys or record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter the action, the above entitled action be, and the same hereby is discontinued, without costs to either party against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: May 8 2009



David P. Martin, Esq.
HARRIS BEACH, PLLC
Attorney(s) for the Plaintiff
One Park Place
300 South State Street, 4th Floor
Syracuse, New York 13202
315-423-7100



Frank A. Bersani, Jr.
Attorney(s) for Defendant,
Cazenovia Village Apartment Company
a/k/a Cazenovia Village Apartments
Company
306 Syracuse Building
224 Harrison Street
Syracuse, New York 13202

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Cazenovia Village Apartments Company,

Defendants.

STIPULATION CANCELING LIS PENDENS

WHEREAS, no party served herein is an infant or incompetent person for whom a committee has been appointed.

IT IS HEREBY STIPULATED AND AGREED by all the

- (a) attorney(s) for the plaintiff(s);
- (b) attorney(s) for all defendants who have appeared or answered including those who have waived all notices;
- (c) defendants who have been served with process and have not appeared but whose time to do so has expired; and
- (d) defendants who have appeared in person,

that the notice of pendency of action that was filed in Supreme Court, County of Madison on the 30th day of September, 2008 be canceled and discharged of record; this action was removed from Supreme Court, Madison County to the U.S. District Court, Northern District of New York and assigned Civil No. 5:08-cv-1195 on November 7, 2008.

Dated: May 8 2009



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Attorney(s) for the Plaintiff
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Attorney(s) for Defendant,
Cazenovia Village Apartment Company
a/k/a Cazenovia Village Apartments
Company
306 Syracuse Building
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Syracuse, New York 13202

IT IS SO ORDERED:



David E. Peebles
U.S. Magistrate Judge
Dated: June 3, 2009

Syracuse, NY